

BE-47 FAQ

Why do I need to complete the BE-47? Is this survey mandatory?

Reports on this form are required in order to obtain reliable and up-to-date information on engineering, architectural, construction, and mining services provided by U.S. firms for unaffiliated foreign persons. The information will be used to help support trade negotiations, formulate U.S. policy, and analyze the impact of that policy and policies of foreign countries, on international trade in services. This data will also be used in compiling the U.S. international transactions and national income and product accounts. This survey has been mandated by Congress under the authority of the International Investment and Trade in Services Survey Act. If you receive this form, you must complete either the exemption section or one of schedules A, B, or C.

Data reported on this survey is confidential and may be used only for analytical or statistical purposes. Without your prior written permission, the information filed on the survey CANNOT be presented in a manner that allows it to be individually identified. Your survey CANNOT be used for purposes of taxation, investigation, or regulation. Copies retained in your files are immune from legal process.

The address you sent this form to is no longer current. How do I update it?

You can update your company's address by crossing out the incorrect information at the top of the form and writing in the new address, or you may call (202) 606-9837 and we will update our files right away.

I don't have any transactions related to this survey, or my transactions related to this survey are less than \$1 million?

On the cover page of the survey there is an exemption claim section. Check box C, and sign the certification at the bottom. Return the form to us as instructed. If you have transactions but they are less than \$1 million, you may check box D. Sign the certification as you would do for exemption C.

The company that this form was sent to either no longer exists or was purchased by another U.S. company. What should I do?

If the company is no longer in existence and was not purchased by another company, then you should check box A of the exemption claim on the cover page. If it was purchased by another U.S. company, or if its voting stock is owned to the extent of 50% or more by another U.S. company, then you should check box B and complete the box beside it. Whichever exemption claim you check, you must still complete the certification section at the bottom of the page before you send it back to us.

Is there any way to complete this form and submit it electronically?

Yes, we now have an electronic submission system available called “ASTAR.” For further information, please visit <http://www.bea.gov/astar/BE47/>

How can I get a MS Excel version of this form?

You can get a MS Excel version of the BE-47 by sending an email to be-47@bea.gov. This is an automated system, and it will automatically send you an excel version of the form. If you do not receive one right away, either call (202) 606-9837 or email damon.battaglia@bea.gov for assistance.

Can I fax the completed form to you to save time?

Certainly. Our fax number here is (202) 606-5318. It is not necessary to address it to anyone's attention.

Can I email my completed form to you to save time?

Yes, but only if you completed the Microsoft Excel version of the form. Other versions are too large to transmit via electronic mail. You may email a completed BE-47 in MS Excel format to damon.battaglia@bea.gov

I won't be able to complete the form by the due date. Can I request an extension?

Yes. Extension requests must be put in writing and either sent to us via the mail or delivery address that appears in the upper left hand corner of the survey form. You may also fax an extension request to (202) 606-5318. Be sure to include your company's name, address, and the 10 digit alpha-numeric control number that appears at the top of the form's address label. In most cases companies will only be granted a 15 day extension. Extensions cannot be requested after the due date.

It's now past the due date and I did not request an extension. Can I still submit the form?

Absolutely. Late submissions are always accepted with full amnesty.

Can I obtain a copy of our company's prior year submission of this form?

Because of the confidential nature of the data reported on the BE-47, copies of what had been filed on previous years' BE-47's cannot be released **even to your own company** without your company's prior written permission. Such a written request should be on your company's letterhead and either mailed or faxed to BEA.

You're requesting data for fiscal year end 2003, but our fiscal year ends March 31, 2004. What should I do?

You should report for the period April 1, 2002 until March 31, 2003. If your fiscal year ends on January 31, you should report for the period beginning February 1, 2002 and ending January 31, 2003.

Should I report on an accrual basis or a cash basis?

All transactions should be reported on an accrual basis.

What is an “unaffiliated foreign person?”

An affiliate is defined as any entity that your company has at least a ten percent direct ownership in, or a company that has at least ten percent direct ownership in you. No ownership or anything less than ten percent direct or indirect ownership would be considered unaffiliated. Foreign is defined as a person or entity that is not physically located within the United States, Puerto Rico, or U.S. territory such as Guam or the Marshall Islands.

We’re doing construction work on a foreign embassy located in Washington, D.C. Does this qualify as a BE-47 transaction?

Yes. Any work performed for a foreign embassy located here in the U.S. or abroad, or for any international organization, regardless of its location, is considered a BE-47 transaction.

We’ve set up a temporary foreign office in Singapore to handle a construction project we’re doing there. Would the project handled by that office be considered a BE-47 transaction?

Yes. The keywords in this instance are ‘temporary office.’ If this work was being performed by a permanent branch office that your company has a ten percent or greater equivalent ownership in (i.e; a foreign affiliate), then this transaction would be reportable on forms BE-577 and BE-11. Some factors to consider when determining if the temporary office is a foreign affiliate or not are:

A) country of incorporation- If this entity is incorporated abroad, then it is a foreign affiliate.

B) income taxes- if the entity pays foreign income taxes, then it is likely a foreign affiliate.

C) financial records- if the entity maintains its own financial records separate of those kept by the U.S. reporter, then it is likely a foreign affiliate.

If you are still unsure whether or not your foreign entity qualifies as a foreign affiliate, please call us for assistance, (202) 606-5588.

We perform engineering work, but it is related to industrial machines, not edifices. Should we report this on the BE-47?

No. Any engineering work related to movable products, specifically industrial engineering services, should be reported on Form BE-22, Annual Survey of Selected Services Transactions with Unaffiliated Foreign Persons.

We are engaged in a joint project with another U.S. company. Should we report the total value of this foreign contract, or only our share?

To avoid duplication of data, please only report your share of the project and list the other U.S. company where appropriate on the form. It is the responsibility of this other U.S. company to report their own share of this project.

We are doing some in-house engineering work here in the U.S. for an unaffiliated foreign company. Is this considered a BE-47 transaction if we are doing all of the work at home?

Yes. Regardless of where the work is being performed, any transactions related to this survey which are performed for unaffiliated foreign persons would be applicable. Report transactions on a contract basis, not a location basis. In other words, if you are performing work for a Japanese company, but the project is actually located in Canada, you should report this is a transaction with Japan.

Are USAID and other government contracts reportable on this form?

Yes. Any non-military cooperative agreements or contracts with the U.S. government are reportable on this form. Report these revenues on line 33 of schedule A, even if it is for a service that should typically be reported on schedule B or C.

We have a contract to perform construction work for another U.S. company, but the work is being performed in another country. Should we report this?

Yes. If the project is located in another country, report it as revenue from that foreign country. This is intended to include contracts entered into with a U.S. parent company in connection with that company's plants and installations abroad.

What about Department of Defense contracts?

No. Do not report any military contracts, including those with the Army Corps of Engineers. Military contracts are covered by inter-agency reporting.

We are an oil company doing exploration work in Canada for our own account. We did not receive funding from any other entity, foreign or domestic, to do this work. Should we report this on the BE-47?

No. Do not report any sort of work that you do for your own account, including mining, gas exploration, construction, engineering, etc.

We receive royalties from a foreign entity in relation to a particular mining process that our company has patented. Should this be reported on the BE-47?

No. All royalties and licensing fees, including those for patents, trademarks, industrial processes, etc., should be reported on form BE-93, Annual Survey of Royalties, License Fees, and Other Receipts and Payments for Intangible Rights Between U.S. and Unaffiliated Foreign Persons. To obtain a copy of the form BE-93, please call (202) 606-5588 or go to <http://www.bea.gov/bea/surveys/be93.pdf>

What should be included in column 5, Merchandise Exports?

Basically, you should only include those things exported from the U.S. that will be used specifically for the projects listed in column 4 (i.e; bulldozers, construction materials, etc.). The cost of transporting these goods to their foreign destinations should also be included. Do not include equipment you plan to return to the United States, such as heavy machinery that will be used on other projects. If you are unsure about whether or not something should be included in this column, please call (202) 606-5588 for assistance.

What should be included in column 6, foreign expenses or disbursements?

Typical foreign disbursements would include any leased capital or equipment, material purchased abroad, and any subcontracted labor. Local taxes and fees for permits should also be included. If you are unsure about whether or not something should be included in this column, please call (202) 606-5588 for assistance.